## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

Case No. 5:21-cv-00125-D

DEATH AND TAXES LLC d/b/a DEATH & TAXES and BRIDGE CLUB; ASPIC, INC. d/b/a POOLE'S DINER; ABC CORNERSHOP, INC. d/b/a BEASLEY'S CHICKEN + HONEY, CHUCK'S BURGERS, and FOX LIQUOR BAR; POOLE'SIDE, LLC d/b/a POOLE'SIDE PIES; and AUX KITCHEN LLC,

**NOTICE OF APPEAL** 

Plaintiffs,

v.

THE CINCINNATI INSURANCE COMPANY,

Defendant.

Notice is hereby given that all Plaintiffs in the above-captioned case appeal to the United States Court of Appeals for the Fourth Circuit from the Judgment of the United States District Court for the Eastern District of North Carolina, entered in this case on February 2, 2022 [D.E. 35], and from all orders, rulings, findings, and conclusions related to the Judgment.

Respectfully submitted this the 4<sup>th</sup> day of March, 2022.

/s/ Gagan Gupta

Gagan Gupta (NCSB #: 53119) Email: ggupta@paynterlaw.com Stuart M. Paynter (NCSB #: 42379) Email: stuart@paynterlaw.com THE PAYNTER LAW FIRM, PLLC 106 South Churton Street, Suite 200 Hillsborough, North Carolina 27278

Telephone: (919) 245-3116 Facsimile: (866) 734-0622

Counsel for Plaintiffs Death and Taxes LLC d/b/a Death & Taxes and Bridge Club; ASPIC, INC. d/b/a Poole's Diner; ABC Cornershop, Inc. d/b/a Beasley's Chicken + Honey, Chuck's Burgers, and Fox Liquor Bar; Poole'side, LLC d/b/a Poole'side Pies; and Aux Kitchen LLC

## CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that the attorney is, and at all times hereinafter mentioned was, more than eighteen (18) years of age; and that on this day, copies of the foregoing will be served on the following by first-class U.S. Mail, or by the Court's Case Management / Electronic Case Filing ("CM/ECF") system:

Drew Vanore
Skylar Gallagher
BROWN, CRUMP, VANORE & TIERNEY, LLP
P.O. Box 1729
Raleigh, NC 27602

Email: dvanore@bcvtlaw.com Email: sgallagher@bcvtlaw.com

Michael P. Baniak LITCHFIELD CAVO, LLP 303 W. Madison, Suite 300 Chicago, IL 60606

Email: baniak@litchfieldcavo.com

Counsel for Defendant The Cincinnati Insurance Company

The undersigned attorney certifies under penalty of perjury that the forgoing is true and correct.

Respectfully submitted this the 4th day of March, 2022.

## /s/ Gagan Gupta

Gagan Gupta (NCSB #: 53119)
Email: ggupta@paynterlaw.com
Stuart M. Paynter (NCSB #: 42379)
Email: stuart@paynterlaw.com
THE PAYNTER LAW FIRM, PLLC
106 South Churton Street, Suite 200
Hillsborough, North Carolina 27278
Telephone: (919) 245-3116
Facsimile: (866) 734-0622

Counsel for Plaintiffs Death and Taxes LLC d/b/a Death & Taxes and Bridge Club; ASPIC, INC. d/b/a Poole's Diner; ABC Cornershop, Inc. d/b/a Beasley's Chicken + Honey, Chuck's Burgers, and Fox Liquor Bar; Poole'side, LLC d/b/a Poole'side Pies; and Aux Kitchen LLC